

REMARKS

Applicants have amended their claims in order to further clarify the definition of various aspects of the present invention. Specifically, the subject matter of claims 5 and 15 have been incorporated respectively into claims 1 and 7; and in light thereof, claims 5 and 15 have been cancelled without prejudice or disclaimer. In addition, various of the claims have been amended to recite "maintaining" the rise in catalyst temperature and "maintaining" an average temperature, rather than "controlling". Furthermore, claims 10 and 13 have been amended to recite that the feeding of the hydrogen-containing gas at the specified rate is based on gas flow at standard conditions (0°C and 1 atmosphere).

The rejection of claims under the first paragraph of 35 USC § 112, as set forth on pages 2-4 of the Office Action mailed September 17, 2004, is noted. Claims 5 and 15 were not rejected under the first paragraph of 35 USC § 112. In light of incorporation of subject matter of claims 5 and 15 respectively into claims 1 and 7, it is respectively submitted that the rejection under the first paragraph of 35 USC § 112 is moot.

The rejection of claims 1, 2, 8, 9, 11 and 12 under the second paragraph of 35 USC § 112, set forth on pages 4 and 5 of the Office Action mailed September 17, 2004, as being indefinite, is respectfully traversed particularly insofar as applicable to the claims as presently amended. Thus, consistent with the suggestions by the Examiner (for which the Examiner is thanked), Applicants have amended their claims to recite to maintain the rise in catalyst temperature (see, e.g., claims 2, 9 and 12) or maintaining the rise in catalyst temperature (see, e.g.,

claims 1, 7 and 11); and to recite maintaining an average temperature (see, e.g., claim 3). In view thereof, it is respectfully submitted that this basis for the rejection of claims under the second paragraph of 35 USC § 112 is moot.

Applicants have amended claims 10 and 13 to recite that the feed of the hydrogen-containing gas is based on gas flow at standard conditions, rather than on a basis of a normal state of 0°C and one atmosphere. As can be seen in the enclosed copy of U.S. Patent No. 4,876,402, such "standard conditions" have a definite meaning in the art, e.g., flow at 0°C and one atmosphere, and it is respectfully submitted that claims 10 and 13 clearly are sufficiently definite to satisfy the requirements of the second paragraph of 35 USC § 112.

Applicants respectfully traverse the objection to the oath or declaration, and respectfully traverse the requirement of a new oath or declaration in compliance with 37 CFR § 1.67(a). Contrary to the conclusion by the Examiner, it is respectfully submitted that the full name of the second inventor (that is, family name and at least one given name) has been set forth in the original Declaration, in the signature. That is, as is clear from the originally signed Declaration, the name of the second-named inventor, Yasuo YAMAMOTO, is set forth in the originally filed Declaration Under 37 CFR § 1.63, and thus the original Declaration is not defective.

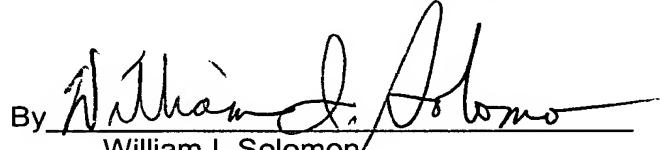
The Examiner is thanked for the indication of allowable subject matter, set forth on page 6 of the Office Action mailed September 17, 2004. In view of the present amendments to the claims and above comments, it is respectfully submitted that all issues raised by the Examiner under 35 USC § 112 have been overcome, and that all claims in the application should now be in condition for allowance.

Reconsideration and allowance of all remaining claims, and passing of the above-identified application to issue in due course, are respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No.396.43041X00), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By 
William I. Solomon
Reg. No. 28,565

1300 North Seventeenth Street
Suite 1800
Arlington, Virginia 22209
Telephone: (703) 312-6600
Facsimile: (703) 312-6666
WIS/sjg